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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

The universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms

Report of the Secretary-General

Summary

The present report is submitted in response to General Assembly resolution 66/151, in which the Assembly requested the Secretary-General to submit to it at its sixty-eighth session a report on the implementation of the resolution.

The report provides information about initiatives undertaken by Member States, the United Nations system, the United Nations human rights bodies and mechanisms as well as the Office of the United Nations High Commissioner for Human Rights to take into account the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights in their policies, activities and implementation of mandates.

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I. Introduction

The General Assembly, in its resolution 66/151, requested the Secretary-General to submit to it at its sixty-eighth session a report on the implementation of the resolution, concerning the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms.

Pursuant to that request, on 14 June 2013, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent a note verbale to Member States and United Nations organizations requesting their contributions. By 16 July 2013, OHCHR had received responses from the Governments of Colombia, Guatemala, Honduras, Italy, Jordan and Qatar, as well as from the International Labour Organization and the World Food Programme.[1]

II. Efforts of Member States

Colombia

[Original: English]
[15 July 2013]

The Government of Colombia stated that its National Human Rights and International Humanitarian Law System is the main government tool for coordinating its activities and initiatives at national and local levels in the areas of citizenship, culture and human rights education; civil and political rights; armed conflict; economic, social, cultural and environmental rights; justice; and equality, non-discrimination and respect of identities. Since the system also includes core human rights principles enshrined in the Colombian Constitution and international human rights treaties, it contributes to the universality, interdependence and indivisibility of all human rights.

The main objectives of the system include the strengthening of national institutions; organizing national and local State programmes that allow effective action; providing the structure for a national human rights policy and promoting a rights-based approach to public policies; and promoting the follow-up to international human rights obligations.

Colombia explained that the system illustrates its efforts and commitment towards a more coherent, participative, constructive and lasting human rights policy based on the harmonization of government actions, dialogue and consultation with civil society, and cooperation with the international community, through the organization of departmental forums and a National Conference on Human Rights.

[1] The texts of the original submissions are on file with the Secretariat and are available for consultation.

Guatemala

[Original: Spanish]
[4 July 2013]

The Government of Guatemala recognized the need for a holistic approach to human rights due to the multicultural, multilingual and multi-ethnic composition of its population. It highlighted efforts made towards the promotion of human rights for all without distinction of any kind, and to institutionalize the protection of human rights in its public policy, in order to strengthen good governance, democracy, peace and human development at the national level. In this regard, Guatemala acknowledged the importance of strengthening fundamental rights and freedoms, which are essential to ensure sustainable economic growth, development, eradication of poverty and hunger, peace, security and justice.

Guatemala noted the development and implementation of public policies and programmes at the national level to foster the promotion and protection of all rights.

Guatemala mentioned the existence of State organs responsible for ensuring compliance with constitutional rights, as well as specific bodies with precise human rights functions, such as the Commission for Human Rights of the Congress; the Human Rights Ombudsman and Commissioner of Congress; and the Secretariat for Planning and Programming of the Presidency which regulates policies and prepares the national budget taking into account a human rights framework. In order to promote social inclusion in Guatemala, several governmental plans have been adopted to implement policies on democratic security and justice, economic development, and social and productive infrastructure.

Guatemala also noted the creation of a Presidential Commission for Human Rights responsible for the coordination of human rights policy and for monitoring compliance with the recommendations of United Nations human rights mechanisms.

Honduras

[Original: English]
[1 July 2013]

The Government of Honduras indicated that the adoption of its first Public Policy and National Plan of Action on Human Rights in January 2013 is a key initiative to integrate human rights into its national policy and foster cooperation in the human rights arena. Based on the principles of universality, indivisibility, interdependence, and the cross-cutting nature of human rights, the policy and plan of action aims at institutionalizing a human rights approach in the management of public affairs at all levels of the State apparatus to ensure the protection, respect and enjoyment of all human rights for everyone. In this regard, it takes into account the specific needs of particular groups, including children, women, older persons, indigenous peoples, afro-descendants, migrants, lesbian, gay, bisexual and transgender persons, persons with disabilities, persons deprived of their liberty, and human rights defenders.

Honduras noted that the policy and plan of action identifies public policy actions in key areas to clarify State obligations vis-à-vis the realization of 17 human rights priorities, which include the rights to life, physical and mental integrity, truth, participation, information, freedom of expression, education, health, food, work,

water, housing and culture. To ensure the promotion and protection of such rights, Honduras reported that State actions will focus on legislation, public policies, the establishment of a culture of human rights, accountability and transparency, the fight against impunity and reparations, and building rights-holders capacity to claim their rights.

The Public Policy and National Plan of Action on Human Rights assigns responsibility for implementation to 90 public institutions, which are required to work in coordination to ensure a holistic approach to the realization of human rights. An Inter-institutional Committee was created to monitor the implementation of the policy and plan of action and to facilitate coordination among public institutions, as well as an Advisory Council to facilitate dialogue with civil society and academia. Honduras acknowledged the support received from the international community and the United Nations system in ensuring an integral approach to human rights.

Italy

[Original: English]
[2 July 2013]

The Government of Italy presented three recent national initiatives undertaken by the Ministry of Foreign Affairs in the areas of freedom of religion or belief, genocide prevention and the responsibility to protect, as illustrations of its effort to strengthen and to reaffirm the concepts of universality, interdependence and indivisibility of all human rights. These endeavours demonstrate the linkage between freedom of religion and prevention of mass atrocities on one side, and other human rights — such as the right to education, freedom of expression, protection of minorities, and participation of civil society in decision-making processes — on the other.

A ministerial-level side event and panel discussion on the theme "Civil society and the education on human rights as a tool for promoting religious tolerance" held in September 2012 highlighted the role of civil society and the international community in promoting tolerance and religious dialogue, and in preventing and defusing conflicts due to religious differences, through human rights education.

A follow-up workshop on promoting religious freedoms and peaceful coexistence in February 2013 focused on the fundamental role that media and academics play in informing and shaping public opinion, thus improving religious dialogue and tolerance.

A conference on genocide prevention and the responsibility to protect: the United Nations early warning mechanism, held in June 2013, focused on the importance of the United Nations early warning mechanism as a tool to bridge the gap between repression and prevention of genocide and other crimes.

Jordan

[Original: Arabic]
[9 July 2013]

The Government of Jordan indicated that its Constitution includes guarantees reaffirming the interdependence and indivisibility of human rights. For instance it contains provisions ensuring equality before the law without discrimination; the right to education; equal employment opportunities for all; freedom from abuse and exploitation for groups such as women, children, older persons, persons with disabilities; workers' rights including the right to form and join trade unions; and non refoulement of refugees. Jordan noted also that it has ratified several international human rights treaties, such as the ILO Forced Labour Convention, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Furthermore, Jordan established specialized bodies tasked to monitor the implementation of its human rights commitments, such as the National Centre for Human Rights — an independent national human rights institution responsible for promoting and protecting human rights, handling complaints and monitoring human rights violations; the Jordanian National Commission for Women, which supports the mainstreaming of a gender-equality perspective in all policy areas; and the National Council for Family Affairs, responsible for ensuring a better quality of life for Jordanian families.

Qatar

[Original: English]
[2 July 2013]

The Government of Qatar stressed the importance of promoting and protecting human rights at all levels, which is reflected through the ratification of several international human rights treaties, the integration of human rights in national policies and legislation, and the promotion of international cooperation in this field. Qatar noted that its Constitution highlights the principles of complementarity, interdependence and indivisibility of fundamental rights and freedoms, which include the full range of civil, cultural, economic, political and social rights, while other national legislation on human rights also promotes gender equality.

Qatar noted the establishment of several governmental institutions mandated to promote the integration, interdependence and indivisibility of human rights as a further effort to strengthen the State apparatus, such as the Human Rights Office of the Ministry of Foreign Affairs, the Human Rights Department of the Ministry of the Interior, and the Supreme Council for Foreign Affairs. In addition, Qatar established the Qatar Foundation for the Protection of the Child and Woman, the Qatar Foundation for Combating Trafficking in Human Beings and the National Human Rights Committee.

By adopting its "National Vision 2030", aimed at providing a high standard of living in all areas for all generations through sustainable development by 2030, Qatar adopted a framework within which to implement its national development

strategy, which covers major human rights issues, such as education, health, the environment, labour rights, empowerment of women, and children's rights.

In the area of international cooperation, Qatar hosted several global conventions and forums related to human rights, development, democracy, and the promotion of a culture of peace, such as the Second Forum on Democracy and Political Reform in the Arab World.

III. Efforts of the United Nations system

International Labour Organization

[Original: English]
[25 June 2013]

The International Labour Organization (ILO) places the right to work at the core of its activities, including the concept of decent work. ILO at its highest policy- and decision-making level has confirmed the significance of fundamental principles and rights at work as human rights, and their inseparable, interrelated and mutually reinforcing character.

Over decades, the ILO Declaration on Fundamental Principles and Rights at Work (1998) stressed the key role of ILO in assisting Member States to respect, promote and realize fundamental rights at work, then reaffirmed in the Declaration on Social Justice for a Fair Globalization of 2008.

The International Labour Conference held in June 2012 concluded by reaffirming (a) the universal and immutable nature of fundamental principles and rights at work; (b) their particular significance as human rights and enabling conditions for the creation of decent jobs; (c) the inseparable, interrelated and mutually reinforcing character of each category of fundamental rights, and the consequent need for an integrated approach to their realization.

The Conference concluded that the full realization of fundamental principles and rights at work can be advanced by an environment of respect for human rights, democratic freedoms and the rule of law; an independent judiciary; transparent and effective governance; functioning public institutions; universally accessible systems of social protection and education; and effective social dialogue.

In 2012, the ILO Governing Body adopted a Plan of Action on fundamental principles and rights at work, setting out objectives and activities cutting across its work for the realization of these principles and rights in an integrated manner. ILO also implemented programmes which focused on promoting the integration of fundamental rights at work, such as the International Programme on the Elimination of Child Labour.

Furthermore, ILO noted that human rights mainstreaming was enhanced through the human rights mainstreaming mechanism of the United Nations Development Group, to which it is a party. The mechanism acknowledged, and included in its founding concept note, that the ILO Fundamental Conventions and their supervisory bodies are part of the United Nations human rights framework, and therefore are complementary and mutually reinforcing to other United Nations provisions.

ILO concluded that the current global unemployment crisis drew attention to the urgent need for employment-generation strategies. However, due to the inextricable link between decent work and human rights, the former cannot be attained in the absence of the full enjoyment of, universal respect for and observance of all human rights and fundamental freedoms.

World Food Programme

[Original: English]
[27 June 2013]

The World Food Programme (WFP) reported on its recent strategic shift away from food aid to a varied set of food assistance interventions. This shift enhanced the WFP role as a direct provider of food assistance and as an enabler, supporting Governments and individuals in finding sustainable food security solutions. This change also made it possible to tailor interventions that both met the immediate food needs of vulnerable people and helped to empower crisis-affected people to ensure their own food security, as well as to support States in fulfilling their obligations to work on the progressive achievement of human rights, including the right to food.

WFP noted that food assistance programming processes and complementary interventions took into account the linkages between food security and the promotion and protection of human rights — including their universal, indivisible, interdependent and mutually reinforcing nature — and ultimately supported a number of human rights, such as the rights to life, education and social protection, and to the highest attainable standards of health. When combined, they jointly contribute to the achievement of the right to food. WFP provided as example the Purchase for Progress procurement initiative, designed to enhance smallholders' and low-income farmers' access to markets where they can sell their produce at competitive prices. The initiative ultimately contributed to the right to food by fostering people's capacity to produce, sell and access the food they need, thereby supporting their self-reliance.

WFP technical support to Governments helped to strengthen national social protection policies and programmes. In particular, efforts to establish and strengthen national school feeding programmes focused on country ownership and building government capacity. In 2012, nearly 25 million children were supported through school feeding programmes, nearly half of them girls. National school feeding programmes and other social protection programmes provide concrete instruments to increase levels of human capital and household income. This translated into increased opportunities to attain an adequate standard of living while contributing to the right to food.

WFP also took human rights into account through its operational approach to programming, by complying with the core principles of the human rights based approach, as reflected in its policies and programming tools. In 2012, WFP adopted a humanitarian protection policy aimed at making food assistance safer and more dignified. The implementation of the policy complemented other United Nations efforts on the human rights based approach to programming, by ensuring staff awareness of human rights standards and principles, seeking ways to support rights-holders and duty bearers, drawing attention to the needs and capacities of food

insecure individuals and groups that are marginalized or discriminated against, and undertaking deeper analysis of the root causes of hunger.

As a member of the Inter-Agency Standing Committee (IASC) and co-Chair of the IASC Task Force on Accountability to Affected Populations, WFP made commitments to address accountability in its operations and business practices. WFP efforts to establish or strengthen complaints and feedback systems in Afghanistan, Kenya, Mali, Pakistan and the Philippines, for example, contributed to a human rights based approach by ensuring that crisis-affected individuals had a means to hold assistance providers accountable for the quality, integrity and safety of their programmes.

IV. Efforts of United Nations human rights bodies and mechanisms

A. Human rights treaty bodies

The principles of universality, indivisibility and interdependence of human rights are the cornerstone of international human rights law. The nine core international human rights treaties form a system of protection and monitoring which covers the full range of civil, cultural, economic, political and social rights and the protection of specific groups. Through interrelated and interdependent operative provisions, the treaties embody an internationally accepted framework which safeguards rights in a manner that is exemplary in underlining the universality and indivisibility of human rights. The 10 human rights treaty bodies stand at the heart of the international human rights protection system as engines translating universal norms into social justice and individual well-being. The human rights treaty bodies continue to be uniquely placed to ensure the universal, indivisible, interrelated and mutually reinforcing nature of human rights in the implementation of their mandate. In pursuance of this, the committees have concretely contributed to the programming, monitoring and fulfilment of rights universally and indivisibly.

In terms of fostering universality, human rights treaties such as the Convention on the Rights of the Child are close to universal ratification, with 193 States parties. All States have ratified at least one, and 80 per cent of States have ratified four or more, of the core human rights treaties, reflecting consent of States which creates legal obligations for them and giving concrete expression to universality.

Following the entry into force in May 2013 of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, an individual complaint mechanism for victims of economic, social and cultural rights is now available, which brings the Covenant into line with the International Covenant on Civil and Political Rights, which has had a similar Optional Protocol for the past 37 years. The Chair of the Committee on Economic, Social and Cultural Rights emphasized on this occasion that the entry into force of this instrument presents, inter alia, a milestone for economic, social and cultural rights, as well as for the implementation of the normative architecture envisaged by the Universal Declaration of Human Rights. On many occasions, the Committee stressed the indivisibility and interrelatedness of rights, for example noting the impact that deprivation of economic, social and cultural rights can have on a broad range of

other rights, which was also underlined in its letter to States parties in November 2012.

The committees, while working within their mandates, actively engage with the multifaceted nature of human rights. As an illustration, when undertaking field visits with a view to improving the treatment of persons deprived of their liberty, the Subcommittee on Prevention of Torture considers the whole range of human rights, including the right to health, food, water and legal assistance.

Furthermore, in her report on strengthening the human rights treaty body system launched in June 2012, the United Nations High Commissioner for Human Rights laid down a vision for the system grounded in the operationalization of the principles of the universality and the indivisibility of human rights as well as States' primary responsibility to ensure the implementation of those principles. One of the recommendations contained in her report encourages the establishment of standing national reporting and coordination mechanisms, aimed at facilitating timely reporting and improved coordination in follow-up to recommendations issued by international human rights bodies. Indeed, they should be able to deal with all United Nations human rights mechanisms' requirements with a view to enhancing efficiency, coordination, coherence and synergies in national efforts to realize all human rights for all.

B. Special procedures of the Human Rights Council

The special procedures of the Human Rights Council system are a central element of the United Nations human rights machinery which covers all human rights in an integrated and balanced way. In their thematic and country-specific work, the current 49 mandate holders address a broad range of human rights issues ranging from the right to freedom of opinion and expression, to human rights defenders, to the right to food, to slavery and discrimination against women. By giving a voice to the victims of human rights violations all around the world and early warning of such violations, they promote a universal approach to human rights.

Special procedures take into consideration the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights when fulfilling their core activities, including in their country missions, thematic reports, communications and public information and media activities. It is common practice for several mandate holders to join their voices to raise critical human rights issues, basing their assessment and their calls for action in a perspective that places all human rights on an equal footing. For example, over 70 per cent of all communications with Governments on specific allegations of human rights violations are sent jointly by various mandate holders. Allegation letters and urgent appeals often raise concerns from a perspective of the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights and fundamental freedoms. Similarly, following the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, a large group of mandate holders jointly stressed that it represented a major step in the protection and realization of economic, social and cultural rights, and a powerful affirmation that they are as important as civil and political rights, and fundamentally interrelated and interdependent with them.

Several mandate holders called for the post-2015 development agenda to fully integrate all human rights and to guarantee that equality, non-discrimination, participation and accountability are consistently taken into account in all development measures. The experts emphasized the importance of reliable, disaggregated data for setting and monitoring targets on inequality, social protection and other areas, highlighting the need to account for gender, age, disability and demographic factors, as well as including criteria such as access to basic rights and services, in addition to income inequality.

The following examples illustrate the increasing practice of mandate holders to reaffirm the universal, indivisible and interdependent nature of human rights in their thematic reports. In her report to the Human Rights Council at its twenty-third session,[2] the Special Rapporteur on the independence of judges and lawyers underlined the importance of legal aid and access to justice for people living in poverty, for the marginalized and excluded, and for people with special needs. She noted that forced evictions are examples of situations in which access to justice is essential.

The Special Rapporteur on the rights to freedom of peaceful assembly and of association stressed that these rights "serve as a vehicle for the exercise of many other civil, cultural, economic, political and social rights ... [and that] such interdependence and interrelatedness with other rights make them a valuable indicator of a State's respect for the enjoyment of many other human rights".[3]

In September 2012, the Special Rapporteur on extreme poverty and human rights presented the final draft of the guiding principles on extreme poverty and human rights[4] to the Human Rights Council, which adopted them by its resolution 21/11. The principles recognize the interdependence and indivisibility of all human rights, and highlight that States must take steps, to the maximum of their available resources, to progressively realize the enjoyment of the economic, social and cultural rights of those that live in extreme poverty. States are also called upon to ensure that people living in poverty overcome the specific obstacles to enable them to enjoy their civil and political rights in conditions of equality with the rest of the population.

In his first report to the Human Rights Council,[5] the Independent Expert on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment identifies the need to clarify those human rights obligations. He underlines the importance of addressing substantive issues such as those regarding transboundary and global environmental harm and climate change, while also noting that the implementation of other rights is vital to environmental policymaking, such as the rights to freedom of expression and association, to receive information and participate in decision-making processes, and to effective legal remedies.

The Working Group on Enforced or Involuntary Disappearances stated in its general comment on children and enforced disappearances that, "in the case of enforced disappearances of the children's parents, many of the child rights,

[2] A/HRC/23/43.
[3] A/HRC/20/27, para. 12.
[4] A/HRC/21/39.
[5] A/HRC/22/43.

including economic, social and cultural ones, are affected. In many occasions, children are prevented from exercising their rights due to the legal uncertainty created by the absence of the disappeared parent. This uncertainty has many legal consequences, including effects on: the right to identity, the guardianship of underage children, the right to social allowances and management of property of the disappeared person. In those circumstances, many obstacles are created to children with regard to the enjoyment of their rights, including their right to education, health, social security and property".[6]

C. Universal periodic review

The principle of universality of human rights, as reaffirmed in the Vienna Declaration and Programme of Action, came to life with the establishment of the universal periodic review. This intergovernmental peer review process — which features universality of States and rights, periodicity, equal treatment and cooperation — aims at ensuring the periodic consideration and assessment of the human rights situation in every State Member of the United Nations. All States are treated in the same manner and the same rules and modalities apply to all.

The first cycle of the universal periodic review, completed in March 2012, saw 100 per cent participation from all 193 Member States, often represented at the level of ministers, who engaged in the interactive dialogue with their peers, demonstrating the importance they gave to the process. The discussion covered all civil, cultural, economic, political and social rights, as well as the right to development, giving equal importance and visibility to all rights and highlighting their interrelated nature. The universal periodic review process also generated cross-fertilization with treaty bodies and special procedures: standing invitations or invitations to specific mandate holders were issued by States in the lead-up, during, or after the review. Ratification of human rights treaties often coincided with the review, as did withdrawal of reservations and submission of outstanding treaty reports. More than 20,000 recommendations addressing the full spectrum of human rights were made in the first cycle, many of which reiterated or mirrored standing recommendations by treaty bodies, special procedures or other United Nations human rights bodies and thus contributed to strengthening the interrelatedness of rights.

The universal periodic review has been an opportunity for States to undertake a national assessment of the human rights situation and review their national agenda and policies, evaluate challenges and constraints, identify capacity and resource gaps, and reiterate their commitment to the universality, indivisibility and interrelatedness of human rights. For civil society actors, it strengthened their role and influence, and enabled them to share human rights analysis, define priority areas of concern, and coordinate their reporting and engagement with national authorities and the universal periodic review process.

These experiences shed light on the fact that good practices, achievements and challenges were common to all States regardless of their region, political system and religious and cultural background. Finally, the universal periodic review mechanism provided opportunities for all — States, national human rights institutions, civil

[6] A/HRC/WGEID/98/1 and Corr.1, para. 7.

society, United Nations entities, regional organizations, bilateral and multilateral actors — to explore how best to foster national and international dialogue and cooperation to promote and protect the universality, interdependence, indivisibility and interrelatedness of all human rights.

V. Efforts of the Office of the United Nations High Commissioner for Human Rights

The Vienna Declaration and Programme of Action, adopted by consensus by representatives of 171 States during the World Conference on Human Rights held in Vienna in 1993, provided the principle and the vision of a universal, interrelated and interdependent constellation of human rights and freedoms, which encompasses economic and social rights as well as the right to development. Since then, the right to development has been reaffirmed time and again in numerous resolutions of the General Assembly and the Human Rights Council and included in major political declarations.

In order to commemorate the twentieth anniversary of the World Conference, a conference was organized in Vienna in June 2013 by the Austrian Federal Ministry of European and International Affairs, in cooperation with the Office of the United Nations High Commissioner for Human Rights and other organizations, to examine how the achievements of the Vienna Declaration and Programme of Action could be best used today to further strengthen the international human rights system.

In her keynote speech at the Vienna conference of 2013, the United Nations High Commissioner for Human Rights defined the Vienna Declaration and Programme of Action as "one of the strongest human rights documents of the past hundred years. It crystalized the underlying principle that human rights are universal, indivisible, interdependent and interrelated, and firmly entrenched the notion of universality by committing States to the promotion and protection of all human rights for all people regardless of their political, economic, and cultural systems."

That all human rights are universal, indivisible and interdependent and interrelated (Vienna Declaration and Programme of Action, para. 5) is a guiding principle for OHCHR in the implementation of its mandate. As the leading United Nations entity on human rights, OHCHR is mandated to promote and protect the effective enjoyment by all of all civil, cultural, economic, political and social rights (General Assembly resolution 48/141). Resolution 48/141 also provides that the High Commissioner "shall be guided by the recognition that all human rights — civil, cultural, economic, political and social — are universal, indivisible, interdependent and interrelated and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms".

The OHCHR management plan 2012-2013, as well as previous documents of this kind, articulated the overall direction of the Office in implementing this human rights mandate. In the past four years, OHCHR has sharpened its strategic direction by focusing its work on six thematic priorities which encompass human rights

challenges such as discrimination; impunity, the rule of law and democratic society; poverty and economic, social and cultural rights; violence and insecurity; and strengthening international human rights mechanisms, together with the growing challenge of ensuring human rights in the context of migration. The choice of these thematic priorities reflected due attention to the universality, indivisibility and interdependence of all human rights and fundamental freedoms.

As part of its mandate to promote the indivisibility, interdependence and interrelatedness of all human rights, OHCHR strongly supported the integration of all human rights, including the right to development, and their gender dimensions, in international cooperation and national development policies and economic and social programmes. OHCHR promoted the integration of human rights in development and poverty reduction activities with a focus on the poorest and most marginalized groups of society. It also sought to ensure the realization of economic, social and cultural rights and the achievement of sustainable and equitable development outcomes. This work is guided by the principles of universality, indivisibility and interdependence of all human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights, and reaffirmed in the Vienna Declaration and Programme of Action and the Declaration on the Right to Development.

What follows is a non-exhaustive list of examples of the engagement of the High Commissioner and OHCHR in promoting and protecting the universality, indivisibility, interdependence and mutually reinforcing nature of all human rights and fundamental freedoms in key functions undertaken both at field and headquarters levels.

A. Advocacy

In her statement before the European Parliament in Brussels on the occasion of a celebratory event for the sixtieth anniversary of the Universal Declaration of Human Rights, the High Commissioner argued that "the principles underpinning the 1948 Universal Declaration can be found in virtually all cultures and traditions". She furthermore underlined the fact that: "A global culture of human rights is predicated on the universality of human rights and their connection with security and development and welfare for all. We should never accept the argument that some rights fit the traditions of certain cultures, but are antithetical to other customs. All human rights are indivisible, entitled to all."

In 2010, at the request of the Human Rights Council, OHCHR organized a seminar on traditional values and human rights. In her opening statement, the High Commissioner stated: "There are traditions of hate, just as there are traditions of tolerance, traditions of repression just as there are traditions of liberation, and traditions of deprivation and exclusion just as there are traditions of social justice. Our task, that of the 192 countries represented by the Charter, is to come down squarely and unequivocally on the side of those in every society who promote and defend human rights. And so, in today's seminar, we focus on the traditional values underpinning human rights. In doing so, we reject those who would seek to juxtapose traditional values against human rights in a tired and dubious old rhetorical device that long sought to erode the universal authority — and universal appeal — of human rights. Indeed, while the Vienna Declaration recognizes that the

significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it reaffirms that it is the duty of all States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms."

At the field level, in Guinea-Bissau OHCHR supported a national non-governmental organization in organizing an international Islamic conference on the abandonment of female genital mutilation, held in October 2012, which led to a declaration of the imams of Guinea-Bissau on the abandonment of female genital mutilation. The participation of international Islamic professors from other African countries was crucial for the sensitization of the national Islamic community and local communities and the withdrawal of arguments in favour of female genital mutilation.

While the Millennium Development Goals raised the profile of various aspects of human development such as poverty, maternal and child mortality and access to water and sanitation as international concerns, they have been criticized for their failure to address the issues of inequality and discrimination and to include civil and political rights. Following OHCHR advocacy, the outcome documents of the high-level plenary meeting of the General Assembly of 2010 on the Millennium Development Goals and the United Nations Conference on Sustainable Development of 2012 contained a broader catalogue of human rights provisions, including the need to respect, protect and promote all human rights and fundamental freedoms for all without discrimination; calls for the rule of law, democracy, good governance, and accountability; and a call for a participatory process to develop new sustainable development goals respectful of human rights principles. Since the Conference of 2012, OHCHR has been active in following up on those commitments, through research, publications, advocacy, leading and contributing to the global thematic consultations of the United Nations Development Group, providing support to the Open Working Group on Sustainable Development Goals, and engaging with Member States to promote the human rights-based post-2015 development agenda.

In June 2013, the High Commissioner circulated an open letter to Member States, stressing that a new development agenda must be a universal and balanced framework, encompassing all human rights and the right to development, implemented through a rights-based approach, with a strong emphasis on participation, accountability, equality and non-discrimination, empowerment, and the rule of law, and include benchmarks for policy and institutional reform at the international level.

B. Policy advice

The work of OHCHR on land and human rights illustrates how the Office promotes the indivisibility and interrelatedness of human rights through analysis and policy advice. In relation to standard-setting at the global level, OHCHR participated in the intergovernmental negotiation on the voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security, adopted in 2012 by the Committee on World Food Security, and provided technical advice and advocated for the integration of various civil, cultural, economic, political and social rights into the guidelines. The guidelines

integrated the principles of non-discrimination, the rule of law, and participation; the right to food, adequate housing, information and justice and to an effective remedy; the rights of indigenous peoples, human rights defenders, refugees and internally displaced persons; as well as the Guiding Principles on Business and Human Rights.

At the field level, in Cambodia OHCHR worked with the Government, civil society, communities, individuals, business enterprises, professional associations, and development actors to strengthen the legal framework protecting land use and ownership and housing rights. OHCHR continued to provide technical assistance to Governments, civil society and other national stakeholders, at their request, in making the necessary changes to national legislation and policies to integrate human rights standards into national development plans, policies and budget processes, and realize economic, social and cultural rights.

C. Legislative reform and institution-building

The substantive research, technical advice and practical learning tools of OHCHR helped to raise awareness and build the capacities of national actors to align national policies and programmes with human rights standards.

In several countries in South America, OHCHR supported the process of adoption of new legislation related to the rights of indigenous peoples. For instance, it provided comments on a draft decree on the regulation of consultation processes with indigenous peoples in Chile.

In Tunisia, OHCHR supported the constitution-making process, advised on compliance of the draft constitution with international standards and facilitated the participation of civil society in the process. In cooperation with other United Nations agencies and civil society, OHCHR advised and supported the Ministry of Human Rights and Transitional Justice and civil society in establishing a transitional justice mechanism in conformity with international standards and norms leading to a draft law promoting truth, accountability, reparations and guarantees of non-recurrence for victims of violations.

At the invitation of the Ministry of the Environment of Cambodia, OHCHR supported the consultation process for a draft law on environmental impact assessment, and commented on the harmonization of the draft law with international standards on transparency, public participation and access to information, gender, the responsibility of business enterprises, free, prior and informed consent, resettlement, grievance mechanisms and dispute resolution processes.

Acknowledging the interrelatedness and the cross-cutting nature of rights affected by caste discrimination, in Nepal OHCHR focused on access to justice for persons affected by caste-based discrimination and untouchability, including through technical assistance in the drafting of the Caste-based Discrimination and Untouchability Act, adopted in 2011. The work in Nepal paved the way to a broader engagement in South Asia, through work with United Nations country teams and civil society actors.

In Sierra Leone, OHCHR supported the implementation of the Disability Act 2011 as well as the establishment and operationalization of the National Commission for Persons with Disabilities, to ensure active participation of persons

with disabilities in the 2012 elections. It also contributed to the process that led to the establishment of the Technical Committee on Disabilities and provided technical support to the Minister of Social Welfare, Gender and Children's Affairs.

D. Capacity-building

Capacity-building is a key area where OHCHR made considerable efforts to enhance the knowledge and skills of government officials, civil society, media, national institutions, police and security forces, and other actors to overcome challenges threatening the universality and indivisibility of human rights.

Through the follow-up to the universal periodic review and more broadly the comprehensive approach of including recommendations from treaty bodies and special procedures in its country activities, OHCHR consistently supported the universality of human rights at the country level. For example, during 2011-2012, in order to assist Member States within the Europe and Central Asia region, OHCHR organized three subregional workshops in Georgia, Kyrgyzstan and Serbia with representatives from 19 Member States to share good practices and lessons learned on how to address and implement recommendations by United Nations human rights mechanisms in a coordinated and holistic manner, and thus promote the indivisibility of human rights.

In Ecuador, OHCHR provided technical support to 120 public planning officials of the National Secretariat for Development and Planning on how to integrate a human rights perspective into the formulation of public policies. OHCHR also supported the National Secretariat in applying the OHCHR human rights indicators framework when developing structural indicators for all human rights, in line with key recommendations of the universal periodic review.

Following the issuance of the guidance note of the Secretary-General on the United Nations approach to transitional justice, which highlights the importance of an approach to transitional justice that takes into account the root causes of conflict and addresses the violations in a comprehensive and integrated manner, in 2010 OHCHR organized an expert workshop on experiences of transitional justice processes in dealing with violations of economic, social and cultural rights. Furthermore, OHCHR is currently developing a special issue on this topic which explores the ways in which transitional justice processes have addressed violations of economic, social and cultural rights, as well as the links that exist between root causes, violations of economic, social and cultural rights, and transitional justice.

E. Mainstreaming

OHCHR worked to advance the integration of all human rights into the policies, programmes and activities of the United Nations system as a whole, including at the country level, and strengthened institutional partnerships within the United Nations system. Advocacy efforts were made through the active participation of OHCHR in the work of all inter-agency coordination mechanisms under the United Nations Chief Executives Board for Coordination, the High-level Committee on Programmes, the United Nations Development Group and the Executive Committees on Humanitarian Affairs, Economic and Social Affairs, and Peace and Security, which cover all human rights issues in all parts of the world.

In the area of development, a dedicated coordination and support mechanism, the human rights mainstreaming mechanism of the United Nations Development Group, led by OHCHR, was established in 2009. The mechanism provides an avenue for more effective and coordinated support to resident coordinators and United Nations country teams across the globe. The mechanism made important progress in promoting system-wide policy coherence, joint advocacy and knowledge-sharing on human rights in many parts of the world. For example, it developed coordinated human rights inputs for intergovernmental processes relating to the United Nations Conference on Sustainable Development of 2012, the General Assembly resolution on the quadrennial comprehensive policy review of operational activities for development, and the post-2015 development agenda. Upcoming work in this context includes the development of new global human rights guidance for resident coordinators and a learning support initiative for leadership of resident coordinators and United Nations country teams in the area of economic, social and cultural as well as civil and political rights.

OHCHR also focused on mainstreaming the rights of persons with disabilities under the mandate of the Convention on the Rights of Persons with Disabilities. As disability is a cross-cutting issue that involves all aspects of the life of persons with disabilities, OHCHR worked towards ensuring that persons with disabilities enjoy the full range of civil, cultural, economic, social and political rights on an equal basis with others. Its interventions at the national, regional or international level covered a variety of issues, from accessibility to austerity measures, from individual to collective rights, as well as the intersection between persons with disabilities and gender, lesbian, gay, bisexual and transgender persons, children, old persons, or migrants.

In its work on migration, OHCHR seeks to promote all human rights for migrants, regardless of their nationality or immigration status. OHCHR played a leading role in promoting a human rights-based approach to migration within the advocacy role and work programme of the inter-agency Global Migration Group, and co-Chairs the Working Group on Human Rights, Gender and Migration with UN-Women and UNICEF.

F. Monitoring and investigations

Human rights monitoring, fact-finding and investigation is a core aspect of the protection mandate of OHCHR and a function of most of its human rights field presences. It is a key tool for identifying violations, patterns, causes and possible solutions to diverse human rights concerns and crises. For instance, during 2013 in Cambodia, OHCHR monitored 74 land disputes between affected communities, authorities and businesses in both rural and urban areas, about half of which related to economic and other land concessions, including on indigenous land. In addition to documenting specific cases, OHCHR facilitated dialogue among parties to disputes, monitored court proceedings, and provided legal and procedural advice.

In Guatemala, during 2012, OHCHR carried out 70 monitoring missions, met with authorities, civil society organizations, victims and their families, and followed up on allegations of human rights violations concerning labour rights; rights of indigenous peoples; insecurity and social conflict; deprivation of liberty; persons

with disabilities; due process and judicial guarantees; access to land; violence against women; and attacks on human rights defenders, among others.

In Timor-Leste, OHCHR released a thematic report on the right to food at the end of 2008, after conducting field monitoring through interviews with local communities, vendors, consumers and local authorities, and monitored the implementation of a rice subsidy policy. OHCHR assessed availability, accessibility and relevant national policies and strategies, as well as the institutional framework to implement them, in connection with the right to food and other rights.

In recent years, international commissions of inquiry and fact-finding missions have been increasingly established by the Human Rights Council, the Secretary-General or the High Commissioner to respond to situations of violations of international human rights law and international humanitarian law, and other international crimes. To date, OHCHR has supported the work of more than 30 such investigative bodies. For instance, during 2012, OHCHR contributed to the establishment of four commissions of inquiry and one fact-finding mission mandated by the Human Rights Council. Among these, the fact-finding mission to investigate the effects of the Israeli settlement activities on the rights of Palestinian people focused on the implications of such settlements on the rights to self-determination, non-discrimination, movement, equality, due process, fair trial, liberty and security of persons, expression, access to places of worship, education, water, adequate standard of living, property, access to natural resources and effective remedy of the Palestinian people. Similarly, the commission of inquiry on the Syrian Arab Republic documented not only violations of the right to life, liberty and personal security, but also restrictions on freedoms of expression, association and peaceful assembly, and basic economic, social and cultural rights. A customized version of the OHCHR human rights case database, which makes it possible to capture violations of a broad range of rights, played a pivotal role in supporting the investigations conducted by the commissions of inquiry.

G. Education and training

In the area of human rights education and training, OHCHR promotes universality, indivisibility and interrelatedness of all human rights. In activities and materials relating to education and training, these characteristics of human rights are dealt with, with a focus which depends on the audience. Collaboration with experts and practitioners from all continents ensures international validation of those materials before publication. The OHCHR website hosts more than 400 translations of the Universal Declaration of Human Rights in languages representing peoples all over the world. For this OHCHR project, the Declaration has been awarded the Guinness World Record for the most translated — indeed, the most "universal" — document in the world.

In the past five years, OHCHR has trained the national human rights institutions of Djibouti, Ecuador, Ethiopia, Timor-Leste and the United Republic of Tanzania on human rights monitoring skills to document and report on violations of civil, cultural, economic, political and social rights. In Sierra Leone, OHCHR trained 146 traditional leaders on the impact of sexual and gender-based violence to increase their knowledge on this issue, to strengthen their ability to respond to community needs in addressing violations, and to raise awareness of the

consequences of sexual and gender-based violence on other rights. In Guatemala, OHCHR conducted two training courses to enhance the knowledge of staff from the Ministry of Energy and Mining on the nine international human rights treaties and the rights of indigenous peoples, particularly regarding the obligation of States to consult with indigenous peoples in policies and projects that directly affect them.

H. Publications

OHCHR has a portfolio of approximately 160 printed titles, each available in multiple official languages, covering the whole range of civil, cultural, economic, political and social rights. Examples of some recent publications which stress the importance of the universality, interdependence and mutually reinforcing nature of all human rights are the fact sheets on the right to food (published jointly with FAO) and the right to water (published jointly with WHO and UN-Habitat); the *Guide for Business: How to Develop a Human Rights Policy* (published jointly with the Global Compact); *Human Rights and Gender Equality in Health Sector Strategies: How to Assess Policy Coherence* (published jointly with WHO and the Swedish International Development Cooperation Agency); *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*.

OHCHR is currently revising its Manual on Human Rights Monitoring and finalizing a publication on the economic, social and cultural rights of migrants in an irregular situation, which highlights the importance of ensuring the access of such migrants to such fundamental rights as health and education, and notes in this context the indivisibility of civil, cultural, economic, political and social rights.

VI. Conclusions

Today, there is global recognition of the principles of indivisibility, interdependence and universality of all human rights, and much progress has been achieved in various parts of the world in this regard.

The present report shows that efforts have been made by Member States, the United Nations system, the United Nations human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights to promote and implement the universal, indivisible, interrelated, interdependent and mutually reinforcing nature of all human rights through the incorporation of human rights into national policies and legislation, international cooperation, mainstreaming activities and in the implementation of mandates.

However, despite these efforts, current global challenges, such as climate change and the economic and financial crisis, highlight the urgent need for States, which bear the primary responsibility for ensuring the promotion and protection of human rights, and other actors to take further action to strengthen the implementation of such principles and permit the full enjoyment of all human rights for everyone.